5/6/68

PLAINTEXT

1 - Mr. Long

TELETYPE URGENT

TO: SAC, MEMPHIS (44-1987)

FROM: DIRECTOR, FBI (44-38861)

MURKIN

REMETEL MAY THREE LAST.

AUTHORITY IS HEREBY GRANTED IF NECESSARY TO SAC MEMPHIS TO TESTIFY BEFORE LOCAL GRAND JURY ON MAY SEVEN NEXT IN REGARD TO POSSIBILITY OF OFFICIALS OBTAINING FIRST DEGREE MURDER WARRANT FOR SUBJECT RAY.

YOU MAY TESTIFY AS TO THE EVIDENCE RECOVERED NEAR SCENE OF CRIME AND RESULTS OF LABORATORY EXAMINATION AND INVESTIGATION REGARDING THE EVIDENCE, SPECIFICALLY: ONE. WEAPON ABANDONED NEAR SCENE OF SHOOTING WAS PURCHASED AT BIRMINGHAM, ALABAMA, ON MARCH THIRTY SIXTY-EIGHT AND CARTRIDGE CASE RECOVERED FROM GUN WAS IDENTIFIED AS BEING FIRED IN THE WEAPON. TWO. PAIR OF BINOCULARS WAS PURCHASED AT MEMPHIS, TENNESSEE, ON APRIL FOUR SIXTY-EIGHT AND LATENT FINGERPRINT LOCATED ON BINOCULARS MATCHES LATENT FINGERPRINT FOUND ON ABANDONED WEAPON. THREE MAY MAP 1968 OF MEXICO WAS LOCATED IN ROOMING HOUSE USED BY SUBJECT AT ATLANTA, GEORGIA. TWO FINGERPRINTS WERE FOUND ON THIS

EX-116 REC-12 44-38861-3029

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COMMUNICATIONS SECTION

SEE NOTE PAGE THREE...

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MAIL ROOM TELETYPE UNIT

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TELETYPE SAC MEMPHIS
RE: MURKIN

MAP AND ONE OF THESE MATCHES THE LATENT FINGERPRINT ON THE ABANDONED WEAPON AND PAIR OF BINOCULARS. FOUR. IT WAS DETERMINED BY THE IDENTIFICATION DIVISION THAT THE LATENT FINGERPRINTS FOUND ON THE ABANDONED WEAPON, TELESCOPIC SIGHT MOUNTED ON ABANDONED WEAPON, PAIR OF BINOCULARS, FRONT PAGE OF MEMPHIS NEWSPAPER, "COMMERCIAL APPEAL," AFTER SHAVING LOTION, SCHLITZ BEER CAN AND THE TWO PRINTS LOCATED ON THE MAP OF MEXICO ARE IDENTICAL TO THOSE OF JAMES EARL RAY. FIVE. NO SIGNIFICANT DIFFERENCES WERE NOTED BETWEEN THE SAMPLES OF TAPE SUBMITTED BY HOME SERVICE LAUNDRY AND DRY CLEANING, LOS ANGELES, CALIFORNIA, AND THE LAUNDRY TAPES APPEARING ON THE SHORTS AND T-SHIRT. SIX. THE HAIRS AND FIBERS FOUND IN THE MUSTANG BELONGING TO ERIC STARVO GALT ARE SIMILAR TO THE HAIRS AND FIBERS FOUND IN THE EVIDENCE RECOVERED NEAR SCENE OF CRIME.

YOU SHOULD SPECIFICALLY REFER TO THE LABORATORY REPORT IN WHICH FINDINGS OF THE LABORATORY ARE RECORDED FOR YOUR TESTIMONY. CONFINE YOUR TESTIMONY TO THOSE FACTS NECESSARY TO ESTABLISH BASIS FOR RETURNING THE INDICTMENT. YOU SHOULD INSURE THAT THE USA OR HIS REPRESENTATIVE IS AVAILABLE TO ADEQUATELY PROTECT THE GOVERNMENT'S INTEREST.

ARMED AND DANGEROUS.

NOTE:

The Memphis Police Department turned over the evidence they recovered near scene of the crime to our Memphis Office, and this evidence in turn was forwarded to our Laboratory for appropriate examination. The Memphis authorities previously obtained a murder indictment againt subject under name of Eric Starvo Galt. The evidence as forwarded to our Laboratory and the findings thereof have been returned to the Memphis Police Department.

Memphis advises that it is the intention of the State Attorney General to present material and evidence to local grand jury on 5/7/68 and that plans call for a first degree murder warrant for subject in this case. Memphis points out that according to an officer of the Memphis Police Department the possibility exists that State Attorney General's office may desire a representative of the FBI to testify in connection with certain evidence because of extensive investigation conducted by the Bureau. State Attorney General felt it would add to the case if FBI representative present to testify as to the sale of weapon in Birmingham and that this weapon is identical with weapon recovered in Memphis.

SAC, Memphis is being granted authority to testify, if necessary, and guidelines being set out as to testimony he may offer. Memphis now advises that the State Attorney General's office stated that the testimony of FBI personnel may not be needed as the FBI Laboratory report may be used to cover items of evidence. This communication is being transmitted in the event testimony of SAC Jensen is needed.